

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JERRELL PRICE,)	
)	
Plaintiff)	
)	No. 3:12-0943
v.)	Judge Campbell/Bryant
)	
STATE OF TENNESSEE, <i>et al.</i> ,)	
)	
Defendants)	

TO: THE HONORABLE TODD J. CAMPBELL

REPORT AND RECOMMENDATION

Plaintiff Price, who is proceeding *pro se* and in *forma pauperis*, has filed this civil rights action against the Montgomery County Sheriff and two law enforcement officers (Docket Entry No. 1).

The Court's order granting Plaintiff's application to proceed in *forma pauperis* forewarned the Plaintiff that his prosecution of this action would be jeopardized if he should fail to keep the Clerk's office informed of his address (Docket Entry No. 10 at 2). Despite this admonition, recent mailings by the Clerk to Plaintiff Price have been returned as undeliverable marked "Not deliverable as addressed - unable to forward" (Docket Entry Nos. 50, 51, 54, and 55).

On September 26, 2013, the undersigned Magistrate Judge entered an order to show cause requiring Plaintiff to show cause within 21 days why his complaint should not be dismissed for his failure to keep the Clerk informed of his current address (Docket Entry No. 52). This order further admonished the Plaintiff that his

failure to respond may cause the undersigned to recommend that this case be dismissed. Plaintiff has failed to respond to this order to show cause within the time required.

RECOMMENDATION

For the foregoing reason, the undersigned Magistrate Judge recommends that the complaint be DISMISSED with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for Plaintiff's failure to comply with the court order requiring him to keep the Clerk informed of Plaintiff's current address.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has **14 days** from receipt of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have **14 days** from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within **14 days** of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140 106 S. Ct. 466, 88 L.Ed.2d 435 (1985), *Reh'g denied*, 474 U.S. 1111 (1986).

ENTER this 22nd day of October, 2013.

/s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge